

COURT OF APPEAL OF THE STATE OF CALIFORNIA  
FOURTH APPELLATE DISTRICT  
DIVISION ONE  
JUNE 30, 2003

**D040790      Department of Alcoholic Beverage Control v. Alcoholic Beverage Control Appeals Board/7-Eleven, Inc. et al.**

The decision of the Appeals Board is annulled. The matter is remanded to the Appeals Board for further proceedings consistent with this opinion reinstating the license suspension. CERTIFIED FOR PUBLICATION. Benke, J.; We Concur: Nares, J., McDonald, J.

**D041169      Project Design Consultants v. Indigenous Global Development Corporation**

Order affirmed. Indigenous to pay costs on appeal. Haller, Acting P.J.; We Concur: McConnell, J., Aaron, J.

**D042310      People v. Superior Court of San Diego County/Aguilar**

Let a writ of mandate issue directing the superior court to vacate its order of May 28, 2003, granting probation and to resentencing Aguilar. The stay issued by this court on June 12, 2003, is vacated. This opinion is made final immediately as to this court. (Cal. Rules of Court, rule 24(b)(3).) Nares, Acting P.J.; We Concur: McDonald, J., O'Rourke, J.

**D040079      Hanks v. City of National City et al.**

The judgment is affirmed as to defendants Fifield, Anderson and City. The judgment is reversed as to defendants Murray, Leach and Carr. As to those defendants, the court is directed to vacate its order granting summary judgment and issue an order denying summary judgment and denying summary adjudication of the first cause of action and granting summary adjudication of the second through sixth causes of action. The parties shall bear their own costs on appeal. McDonald, J.; We Concur: McConnell, J., Aaron, J.

**D040077      People v. Wilson**

The judgment is affirmed. O'Rourke, J.; We Concur: Benke, Acting P.J., Nares, J.

**D039078      People v. Hoover**

The judgment is affirmed. Huffman, Acting P.J.; We Concur: McDonald, J., O'Rourke, J.

**D040822      People v. Rudakowski**

The judgment is affirmed. O'Rourke, J.; We Concur: Benke, Acting P.J., McDonald, J.

**D039081      People v. Alferos**

The judgment is affirmed. Kremer, P.J.; We Concur: Benke, J., Huffman, J.

**D041999      In re Angel L., a Juvenile**

The appeal is dismissed. McDonald, J.; We Concur: Nares, Acting P.J., O'Rourke, J.

**D042028      Schwartz v. Aviles**

Pursuant to California Rules of Court, rule 8, the appeal filed April 16, 2003 and amended April 25, 2003 is dismissed for Appellant's failure to timely designate the record (Cal. Rules of Court, rules 4(a) and 5 (a)).

COURT OF APPEAL OF THE STATE OF CALIFORNIA  
FOURTH APPELLATE DISTRICT  
DIVISION ONE  
JUNE 30, 2003 (Continued)

**D041411        In re Eric B. et al.**

The request for publication of the opinion is denied.

**D038282        People v. Nasirichampang et al.**

**D039798        In re Nasirichampang on Habeas Corpus**

The petitions for rehearing are denied.

**D040961        People v. Cook**

The judgment is affirmed. Kremer, P.J.; We Concur: Benke, J., McDonald, J.

**D039142        People v. Hernandez**

The order extending Hernandez's commitment is affirmed. Kremer, P.J.; We Concur: Benke, J., O'Rourke, J.

**D042275        Petrillo v. Hoffman**

The appeal is dismissed.

COURT OF APPEAL OF THE STATE OF CALIFORNIA  
FOURTH APPELLATE DISTRICT  
DIVISION ONE  
July 1, 2003

**D041154        People v. Gomez**

The judgment is affirmed. Kremer, P.J.; We Concur: McDonald, J., O'Rourke, J.

Court convened at 9:00a.m.

Present: The Honorable Gilbert Nares, Acting Presiding Justice, and The Honorable Associate Justice Alex McDonald

Clerk: D E Moore

**D040432        Mahdavi v. State of California, et al.**

Cause called on merits. Kamal Mahdavi, argued for appellant in pro per. Cindy Caplan, Esq. was present in oral argument for respondent, Cathedral Plaza Apartments but did not argue. David J. Karlin, Deputy City Attorney was present in oral argument for respondent, City Attorney but did not argue. To be submitted once Justice Huffman has had a chance to review cd of the argument.

Court adjourned at 10:17 a.m.

**D040830        Cooper v. Regents of the University of California et al.**

Appellant has failed to file a brief after notice given pursuant to California Rules of Court, rule 17(a). The appeal is dismissed.

**D041397        People v. Lozano**

The judgment is affirmed. Kremer, P.J.: We Concur: Huffman, J., O'Rourke, J.

**D040047        People v. Patterson**

The judgment is affirmed. Kremer, P.J.: We Concur: Huffman, J., McDonald, J.

**D042078        In re Robert P. et al., Juveniles**

Upon filing an abandonment of appeal, personally signed by the appellant, the appeal is dismissed and the remittitur is ordered to issue immediately.

COURT OF APPEAL OF THE STATE OF CALIFORNIA  
FOURTH APPELLATE DISTRICT  
DIVISION ONE  
July 2, 2003

**D042202        Wilson v. Brandelius**

Pursuant to California Rules of Court, rule 8, the appeal filed May 15, 2003, is dismissed for failure of appellant to timely deposit costs for preparing the record on appeal.

**D041277        Holman v. Superior Court of San Diego County/City of San Diego**

Let a writ of mandate issue directing the superior court to vacate the portion of its order of November 15, 2002, denying disclosure of Christiano's e-mail correspondence and her cellular telephone bills and to enter a new order requiring City to disclose those categories of information in accordance with this opinion. In all other respects the petition for writ relief is denied. Each party shall bear its own costs in this writ proceeding. The stay issued by this court on January 8, 2003, directing the City to cease further destruction of records will be vacated 15 days after the opinion is final as to this court. McDonald, J.; We Concur: Kremer, P.J., Haller, J.

**D041191        In re Marriage of Sayre**

The appeal is dismissed pursuant to rule 17(a).

**D039267        Loshonkohl v. Kinder**

The petition for rehearing is denied.

**D041865        Tiffany M. v. Superior Court of San Diego/San Diego County Health and Human Services Agency**

The order to show cause is discharged and the petition is dismissed. McDonald, J.; We Concur: Nares, Acting P.J., O'Rourke, J.

**D042298        Simmons v. Williams et al.**

Appellants Donald and Tracy Williams having failed to file a Request for Permission to Appeal, and the due date to request permission to appeal having expired, the appeal filed with the Superior Court on June 2, 2003 and amended on June 3, 2003, is dismissed.

**D042024        Gabriela M., v. Superior Court of San Diego County/San Diego County Health and Human Services Agency**

The order to show cause is discharged and the petition is dismissed. McDonald, J.; We Concur: Nares, Acting P.J., O'Rourke, J.,

COURT OF APPEAL OF THE STATE OF CALIFORNIA  
FOURTH APPELLATE DISTRICT  
DIVISION ONE  
July 3, 2003

**D039670        People v. Lewis**

The judgment is affirmed. O'Rourke, J.; We Concur: Kremer, P.J., McDonald, J.

**D040188        Whitcomb, Jr. et al. v. El Cajon Ford**

The judgment is affirmed. Nares, Acting P.J.; We Concur: McIntyre, J., O'Rourke, J.

**D041977        Melissa P. v. Superior Court of San Diego County/San Diego County Health and  
Human Services Agency**

The petition is denied. McDonald, J.; We Concur: Nares, Acting P.J., McIntyre, J.

**D040108        National City Police Officers' Association et al v. City of National City**

The judgment is affirmed. Each party is to bear its own costs on appeal. O'Rourke, J.; We Concur: Huffman, Acting P.J., McIntyre, J.

**D037748        Contursi v. Sullivan Transfer Company et al**

The petition for rehearing is denied.